

REMARKS

Interview Summary

Applicants wish to thank the Examiner for considering the issues raised in the July 14 Office Action during the interview on September 19. During the interview, the Examiner and Applicants' attorney discussed Christin et al. and the basis for the Examiner's § 102 rejection. The Examiner's § 112 rejection was also discussed. The remainder of the substance of the interview is further reflected below. Applicants believe that the application is now in condition for allowance and appreciate the Examiner's due consideration of the amendments above and the following comments.

35 U.S.C. § 112 Rejection

The Examiner has rejected claims 32-33, 36-37, 39 and 42 under 35 U.S.C. § 112 ¶ 1 because the Examiner argues that the claimed "plate" is not enabled by the specification. Applicants respectfully assert that the claimed "plate" is fully enabled by the specification, and one of ordinary skill in the art would readily recognize the enabling embodiments in the specification. However, in an effort to expedite prosecution of the application, Applicants have amended the claims to clarify that the plate refers to a "top support plate." As explained in the specification, the top support plate may be used by itself or in conjunction with additional structure, such as caps, to direct gas flow between the center opening region and the outer region. Accordingly, Applicants' clarification obviates the Examiner's rejection, and the Examiner may now withdraw the remaining § 112 rejection.

35 U.S.C. § 102 Claim Rejections

The Examiner has rejected claims 24-25 and 29-39 under 35 U.S.C. § 102(b) as being anticipated by Christen et al. (U.S. Patent No. 5,904,957). Applicants have carefully considered the Examiner's comments. As a result, Applicants have amended claim 24 to further clarify that the inlet duct and the passageway are "disposed below a lowest porous structure in said stack."

Christin et al. clearly does not disclose an inlet duct and passageway as claimed by Applicants. The Examiner's position is that Christin et al. allows gas to pass from the


center opening region to the outer region through leakage passages 34 between the performs 12. However, this is not the structure claimed by Applicants, as made clear by the present claim amendment. As now claimed, the inlet duct and the passageway are located below the bottom porous structure (e.g., an annular brake disk) in the stack. Christin et al. does not disclose this limitation. Thus, Christin et al. cannot anticipate Applicants' amended claims. Therefore, claim 24 should be allowed.

The remaining claims depend from claim 24. Because claim 24 is allowable, claims 25-27 and 29-42 are also allowable since these claims incorporate all of the limitations of claim 24. Any further arguments that could be made at this time in support of Applicants' dependent claims would be superfluous and unnecessary. Accordingly, dependent claims 25-27 and 29-42 should also be allowed.

Conclusion

None of the prior art of record discloses the limitations of Applicants' claims as now presented. In response to the Examiner's 35 U.S.C. § 112 rejection, Applicants have clarified the "plate" terminology used in claims 32-33, 36-37, 39 and 42. In response to the Examiner's 35 U.S.C. § 102 rejection, Applicants have amended claim 24. Accordingly, the claims now clearly call for the claimed inlet duct and passageway to be located below the lowest porous structure in the stack. Christin et al. does not disclose this limitation. Thus, Applicants' claims are allowable. If the Examiner has any questions, the Examiner may call Applicants' attorney, Richard E. Stanley, Jr., at 312-321-4279. Accordingly, Applicants request reconsideration and allowance of the application.

Respectfully submitted,



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